

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

RUSSELL W. CALLAHAN,
No. S12497,

Plaintiff,

vs.

Case No. 14-cv-01039-MJR

WARDEN STEPHEN DUNCAN,
RANDY STEVENSON,
COUNSELOR WILLIAMS, and
RECORD OFFICE,

Defendants.

MEMORANDUM AND ORDER

REAGAN, Chief Judge:

On September 26, 2014, Plaintiff Callahan, an inmate in the custody of the Illinois Department of Corrections, housed at Lawrence Correctional Center, filed a draft “Order to Show Cause for an [sic] Preliminary Injunction” (Doc. 1). He contends that prison officials have failed to give him 54 days of credit for time served, as the state’s judgment and commitment order indicate (*see* Doc. 1, p. 3). By Order dated October 28, 2014, the pleading was stricken and Plaintiff was given until November 14, 2014, to determine how he wanted to proceed and to file an amended pleading (Doc. 4). He was forewarned that failure to file a pleading would result in the dismissal of this action pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failing to state a claim upon which relief could be granted.

Plaintiff has not filed a complaint and the deadline for doing so has passed. It appears that Plaintiff has abandoned this action.

IT IS THEREFORE ORDERED that pursuant to Federal Rule of Civil Procedure 41(b), this action is **DISMISSED with prejudice** for failure to comply with a court order and failing to state a claim upon which relief may be granted. Accordingly, Plaintiff will be allotted a **STRIKE** under the provisions of 28 U.S.C. § 1915(g). Judgment shall enter accordingly and this case will be closed.

IT IS FURTHER ORDERED that Plaintiff remains obligated to pay the filing fee. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

IT IS SO ORDERED.

DATED: December 3, 2014

s/ Michael J. Reagan

MICHAEL J. REAGAN
CHIEF JUDGE
UNITED STATES DISTRICT COURT